

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CHRISTIAN GARNICA,**

**Defendant.**

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**CASE NO. 8:05CR77**

**ORDER**

This matter is before the Court on the Defendant's motion for additional time to file an appeal from the Magistrate Judge's order regarding the matter of disclosure of confidential informants (Filing No. 33).

The time for the filing of an appeal from the oral order issued by Magistrate Judge Thalken expires on May 16, 2005.<sup>1</sup> The Defendant asks that the date for filing any appeal be extended to June 10, 2005. The motion will be granted insofar as the deadline will be extended to June 3, 2005.

**IT IS ORDERED:**

1. The Defendant's motion for additional time to file an appeal from the Magistrate Judge's order regarding the matter of disclosure of confidential informants (Filing No. 33) is granted in part and denied in part;
2. Any appeal from the Magistrate Judge's order regarding the matter of disclosure of confidential informants must be filed on or before June 3, 2005;  
and

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<sup>1</sup>The three-day "mailing rule" is still used in this Court, despite the use of electronic filing.

3. If defense counsel decides not to file an appeal, he must notify my chambers in writing that an appeal will not be filed.

DATED this 10<sup>th</sup> day of May, 2005.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge